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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/801,995	03/16/2004	Bibb Bevis Allen	51363 (GCSD1511)	3336
27975	7590	05/09/2005	EXAMINER	
ALLEN, DYER, DOPPELT, MILBRATH & GILCHRIST P.A. 1401 CITRUS CENTER 255 SOUTH ORANGE AVENUE P.O. BOX 3791 ORLANDO, FL 32802-3791			NGUYEN, HOANG V	
			ART UNIT	PAPER NUMBER
			2821	

DATE MAILED: 05/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

10/801,995

Applicant(s)

ALLEN ET AL

Examiner

Hoang V. Nguyen

Art Unit

2821

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 5-17 is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☒ Claim(s) 2-4 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 June 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3/16/04</u> . | 6) <input type="checkbox"/> Other: ____. |

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Kitamura et al (US 5,085,018).

Kitamura (Figure 1) discloses a boom structure comprising a plurality of truss-forming multi-sided bays, a respective one of which contains a pair of battens 1 joined together at corresponding corner regions thereof by foldable longerons 2 therebetween, and wherein a respective side of a bay contains a plurality of diagonal cord members 3 crossing one another and connected diagonally opposed corner regions of the respective side, such that when the foldable longerons are in their folded positions, the battens are nested together against one another in a stacked arrangement and the diagonal cord members flex into a compact stowed configuration between adjacent battens.

Allowable Subject Matter

3. Claims 2-4 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. Claims 5-17 are allowed.

5. The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 2, Kitamura fails to further teach, among other features, that a corner region of the batten includes clamping members that are configured to engage an elongated structural tube in the stowed configuration of the boom structure and, in the course of deployment of the boom structure outwardly from its stowed configuration, the clamping members travel along and leave the elongated structure tube, and engage threads of an elongated threaded shaft that is coaxial with and extends outwardly from the elongated structural tube.

Claims 3 and 4 would have been found allowable for depending on claim 2.

Regarding claim 5, Kitamura discloses a boom structure comprising a plurality of truss-forming multi-sided bays, a respective bay containing a pair of battens joined together at corresponding corner regions thereof by foldable longerons therebetween, such that when the foldable longerons are in their folded positions, the battens are nested together against one another in a stacked arrangement. Kitamura, however, fails to further teach a plurality of spaced apart elongated structural tubes, each elongated structural tube containing an elevator screw extendable therefrom, wherein the plurality of truss-forming multi-sided bays are supported by the elongated structural tubes and being coupled to elevator screws extending from the elongated structural tubes.

Claims 6-13 are allowed for depending on claim 5.

Regarding claim 14, the boom structure of Kitamura would enable the method comprising the steps of providing a plurality of truss-forming multi-sided bays, a respective bay containing a pair of battens joined together by foldable longerons therebetween, and wherein a respective side of a bay contains a plurality of diagonal cord members crossing one another and connected diagonally opposed corner regions of the respective side, such that when the foldable

longerons are in their folded positions, the battens are nested together against one another in a stacked arrangement and the diagonal cord members flex into a compact stowed configuration between adjacent battens. Kitamura, however, fails to further teach the steps of nesting the plurality of bays in a stacked arrangement along elongated support members; and sequentially translating the plurality of bays away from the stacked arrangement and off the elongated support members.

Claims 15-17 are allowed for depending on claim 14.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Patent 6,028,570 discloses a folding perimeter truss reflector.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hoang V. Nguyen whose telephone number is (571) 272-1825. The examiner can normally be reached on Mondays-Fridays from 9:00 a.m. to 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoang Nguyen can be reached on (571) 272-1825. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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A handwritten signature in black ink, appearing to read 'Hoang V. Nguyen', with a long horizontal stroke extending to the right.

**HOANG V. NGUYEN
PRIMARY EXAMINER**